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PATENT

2827/1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yoshihiro Yoneda

Serial No. 09/820,470

Filed: March 29, 2001

For: SURFACE-MOUNTING SUBSTRATE  
STRUCTURE COMPRISING  
SUBSTRATE AND PART MOUNTED  
ON THE SUBSTRATE

Examiner: Ishwarbhai B. Patel

Art Unit: 2827

Attny Docket: 082-01

CERTIFICATE OF MAILING

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Washington, DC 20231,  
on April 16, 2003.

Kim Gubitosi

Dated: April 16, 2003

COVER LETTER

Commissioner for Patents  
Washington, DC 20231

Sir:

Submitted are the following documents:

- 1) This cover letter;
- 2) Amendment (18 pages);
- 3) Check for \$410.00; and
- 4) Post card return receipt.

No additional fees are believed to be required. In the event that an additional fee is required with respect to this communication, the Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, to Paul & Paul Deposit Account No. 16-0750.

Date: April 16, 2003

Respectfully Submitted,

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Order No. 1396



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AMENDMENT

Commissioner Of Patents  
Washington, D.C. 20231

Sir:

This is a response to a non-final Office Action dated December 4, 2002, to which a response was due by March 4, 2003. Applicant respectfully requests a two-month extension of time pursuant to 37 CFR 1.136, the requisite fee pursuant to 37 CFR 1.17(a)(1) being attached. Kindly amend the above-identified patent application as follows.

Remarks on new 35 USC 112, second paragraph rejections:

In his second non-final Office Action, the Examiner has raised a new 35 USC 112 rejection of claims 7-10, 12, 15, 42, 44, 46, 53 and 54. These rejections are respectfully TRAVERSED. With respect to claims 7-8, 10, 12, 15, 42, 44, and 46, these claims were originally examined and remain without amendment. A §112 rejection was not raised in the first non-final Office Action on the merits, and none should be raised now. Moreover, by not raising the §112 rejection in the first Office Action on the merits, the Examiner was in violation of MPEP 706.03(d). See Examiner Note referring to ¶ 7.30.2 Statement of Statutory Basis.